



MINUTES

CITY COUNCIL REGULAR MEETING

July 25, 2017
City Council Chamber
One Civic Center Plaza
Irvine, CA 92606

CALL TO ORDER

The regular meeting of the Irvine City Council was called to order at 4:18 p.m. on July 25, 2017 in the City Council Chamber, Irvine Civic Center, One Civic Center Plaza, Irvine, California; Mayor Wagner presiding.

ROLL CALL

Present:	5	Councilmember:	Melissa Fox
		Councilmember:	Jeffrey Lalloway
		Councilmember:	Christina Shea
		Mayor Pro Tempore:	Lynn Schott
		Mayor:	Donald P. Wagner

1. CLOSED SESSION

City Attorney Melching announced the following Closed Session item:

- 1.1 **CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6) Agency Negotiators: Sean Joyce, City Manager; Grace Leung, Assistant City Manager; Michelle Grettenberg, Deputy City Manager; Jimmee Medina, Deputy Director of Administrative Services; Brian King, Manager of Human Resources; Peter Brown, Liebert, Cassidy, Whitmore; Employee Organizations: Associated Supervisory/Administrative Personnel (ASAP); Irvine City Employees Association (ICEA); Irvine Professional Employees Association (IPEA); Irvine Police Association (IPA); Irvine Police**

Management Association (IPMA); Management and Non-Represented Employees; Confidential Employees; and Part-Time Employees

RECESS

Mayor Wagner convened the City Council meeting to Closed Session at 4:19 p.m.

RECONVENE TO THE CITY COUNCIL MEETING

Mayor Wagner reconvened the City Council meeting at 5:05 p.m. City Attorney Melching, on behalf of the City Council, announced that no reportable action was taken in Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Schott led the Pledge of Allegiance.

INVOCATION

Rabbi Yisroel Ciner from Beth Jacob Congregation in Irvine provided the invocation.

CITY MANAGER'S REPORT

City Manager Joyce introduced Mark Lisenmayer, Director of Transportation.

ANNOUNCEMENTS/COMMITTEE REPORTS/COUNCIL REPORTS

Mayor Pro Tempore Schott, as the City's representative to the Orange County Mosquito and Vector Control District (District), expressed her appreciation to District staff for bringing "Mrs. Mosquito," an inflatable nine-foot tall mosquito, to the Pacific Symphony concert series at Mike Ward Community Park – Woodbridge held last Sunday, to educate children on the importance of protecting themselves and their families from mosquito bites. She also reminded residents to reduce their risks in contracting West Nile Virus by conducting routing property checks and eliminating standing water sources.

Councilmember Fox introduced City Council summer interns; and announced that the Orange County Soccer Club game against the Vancouver Whitecaps II would take place at the Orange County Great Park, Soccer Field 4, on Saturday, July 29 at 5 p.m., with tickets available online at *orangecountysoccer.com* or at the box office.

Mayor Wagner made the following announcements:

- The Blues Brothers, featuring Dan Aykroyd and Jim Belushi, will perform at the Grand Opening of the first phase of the Orange County Great Park Sports Park on Saturday, August 5 at 7:15 p.m. in the Soccer Stadium. At 2 p.m. prior to the concert, the opening of the soccer fields, tennis courts, sand volleyball courts, and the Children’s Play area will take place, with sports figures and youth teams involved. The official ribbon-cutting is at 3:30 p.m. followed by a soccer match at the Soccer Stadium. For information, visit cityofirvine.org.
- The Irvine Police Department is joining cities across the nation in celebration of National Night Out, with three free events being held on Tuesday, August 1 from 5:30 to 7:30 p.m. The events at Cypress Village Community Park, Adventure Playground at University Community Park, and The Ranch Neighborhood Park will offer chances for residents to come out and meet their local police officers, get a look inside police vehicles and learn about crime prevention. The Irvine Police Department Mounted Unit will make its first public appearance during the event at Cypress Community Park. Hot dogs and drinks will be provided, with desserts available from food trucks. For information, visit cityofirvine.org.

Councilmember Shea inquired about the availability of food and beverages at the August 5 Grand Opening Event at the Orange County Great Park, to which Craig Reem, Director of Public Affairs and Communications, responded that food trucks would be available from 2-8:30 p.m., and water would be available throughout the day across all 53 acres.

ADDITIONS AND DELETIONS

City Manager Joyce noted that Item No. 3.1 (Irvine Business Complex Transportation Mitigation Fee Program Update) would be continued to the September 12, 2017 meeting.

2. CONSENT CALENDAR

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Shea, and unanimously carried to approve Consent Calendar Item Nos. 2.1 through 2.8, with the exception if Item Nos. 2.4, 2.7, and 2.9, which were removed for separate discussion.

2.1 MINUTES

ACTION:

Approved the minutes of a regular meeting of the Irvine City Council and regular joint meeting with the City of Irvine as Successor Agency to the dissolved Irvine Redevelopment Agency held on July 11, 2017.

2.2 WARRANT AND WIRE TRANSFER RESOLUTION

ACTION:

Adopted RESOLUTION NO. 17-50 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2.3 BUDGET ADJUSTMENT FOR ENHANCEMENTS TO SPORTS PARK SUBAREA OF THE ORANGE COUNTY GREAT PARK

ACTION:

- 1) Authorized the City Manager to execute Amendment No. 3 to Letter Agreement regarding Sports Park design enhancements. **(Contract No. 9401C)**
- 2) Approved a budget appropriation of \$71,000 from the unallocated Great Park Fund balance to the Capital Improvement Project Fund, Project No. 361616, Sports Park Subarea Improvements, for the recommended Sports Park design enhancements.

(Unless otherwise directed by a member of the City Council, the vote on this matter will reflect the prior action of each Councilmember when he or she sat and voted as a member of the Board of Directors of the Orange County Great Park Corporation. However, if a Councilmember is not present at the City Council meeting, his or her vote will be reflected as absent.)

Approved 5-0.

2.4 AWARD OF CONTRACT FOR WIRELESS MARKETING AND MANAGEMENT SERVICES AT THE ORANGE COUNTY GREAT PARK

This item was removed for separate discussion at the request of Anne Beehler, representing Bryan Cave LLP on behalf of Connected Nation Exchange ("CNX"), who expressed opposition to the proposed contract with 5 BARS Communities, LLC.

City Council discussion included: whether the City was on the proper path with respect to wireless marketing and management services; referenced concerns raised at a prior meeting related to the bidding and selection process; and reiterated concerns about pending State legislation.

Jonathan Kramer, representing Telecom Law Firm, noted that the proposed contract offered proper protection for the City.

City Manager Joyce suggested that any legal advice related to this matter would be best suited for Closed Session.

ACTION: Moved by Councilmember Shea, seconded by Councilmember Lalloway, to:

- 1) Authorize the Orange County Great Park Director to execute a contract with 5 BARS Communities, LLC for wireless marketing and management services and subsequent sublicenses at the Orange County Great Park. **(Contract No. 9914)**
- 2) Approve a budget adjustment to appropriate \$85,000 in the Orange County Great Park Fund for a wireless infrastructure master plan funded from future lease revenue.

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Fox, Lalloway, Shea and Wagner

NOES: 1 COUNCILMEMBERS: Schott

ABSENT: 0 COUNCILMEMBERS: None

2.5 AWARD OF CONTRACT FOR WIRELESS MARKETING AND MANAGEMENT SERVICES

ACTION:

- 1) Approved and authorized the City Manager to execute a contract with 5 BARS Communities, LLC for wireless marketing and management services and subsequent sublicenses. **(Contract No. 9915)**
- 2) Approved a budget adjustment to appropriate \$150,000 in the General Fund for a wireless infrastructure master plan funded from future lease revenue.

2.6 CONSIDERATION OF A POLICY FOR POSTING DEPOSITION TRANSCRIPTS ON THE CITY WEBSITE

ACTION:

Adopted the policy related to the timing of posting deposition transcripts on the City’s website, consistent with California Code of Civil Procedure section 2025.520.

2.7 APPROVAL OF SPECIFICATIONS AND CONTRACT DOCUMENTS FOR THE ANNUAL STREET REHABILITATION AND SLURRY SEAL PROJECT

This item was removed for separate discussion at the request of Councilmember Lalloway, who suggested that bike trails remain open on weekends, and asked that disruption to motorists be kept at a minimum during peak times.

There was no City Council discussion.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Shea, and unanimously carried to:

- 1) Approve specifications and contract documents for the Annual Street Rehabilitation and Slurry Seal Capital Improvement Projects 311801, 361807, and 341701.
- 2) Approve the Engineer's Estimate, Construction Contingency and Funding Summary.
- 3) Authorize the City Manager to execute the Reimbursement Agreement with Irvine Ranch Water District for installation and adjustment of water district facilities within the project limits.
- 4) Authorize staff to solicit competitive bids and award the construction contract to the lowest responsive and responsible bidder in accordance with the City's financial policies and purchasing procedures.

2.8 NOTICE OF REVIEW AND PENDING APPROVAL FOR TRACT MAPS IN IRVINE BUSINESS COMPLEX AND EASTWOOD

ACTION:
Received and filed.

2.9 KELVIN AVENUE PEDESTRIAN BRIDGE

This item was removed for separate discussion at the request of Mayor Wagner, who asked for City Council reconsideration to defer the pedestrian bridge project based on Transportation and Planning Commission recommendations.

City Council discussion included: identifying the advantages of a pedestrian bridge at the designated location; noted that certain Planning and Transportation Commissioners were unaware of the project's history when the item was before them for consideration; reiterated that the Irvine Residents with Disabilities Advisory Board (IRDAB) voted unanimously in support of the bridge; and suggested that the City be proactive with

respect to future infrastructure to further public benefits while also reducing costs.

ACTION: Moved by Mayor Pro Tempore Schott, seconded by Councilmember Shea, to:

- 1) Adopted RESOLUTION NO. 17-51 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINE, CALIFORNIA, CERTIFYING THE ADDENDUM TO THE IBC VISION PLAN AND MIXED USE OVERLAY ZONING CODE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (SCH NO. 2007011024) FOR THE KELVIN AVENUE PEDESTRIAN BRIDGE PROJECT
- 2) Authorized the Director of Community Development to execute Amendment No. 2 to the Kelvin Apartments Conditional Use Permit Letter Agreement. **(Contract No. 9916B)**

The motion carried as follows:

AYES: 4 COUNCILMEMBERS: Fox, Lalloway, Schott and Shea

NOES: 1 COUNCILMEMBERS: Wagner

ABSENT: 0 COUNCILMEMBERS: None

3. PUBLIC HEARINGS

3.1 IRVINE BUSINESS COMPLEX TRANSPORTATION MITIGATION FEE PROGRAM UPDATE

ACTION: By consensus, the public hearing was continued to September 12, 2017.

3.2 CITY COUNCIL OVERRIDE OF INCONSISTENCY DETERMINATION BY THE AIRPORT LAND USE COMMISSION OF ORANGE COUNTY

Joel Belding, Principal Planner, and Stephanie Frady, Senior Planner, presented the staff report and responded to questions.

Mayor Wagner opened the public hearing at 5:42 p.m.

Tim Strader Jr., representing Starpointe Ventures on behalf of the applicant, Great Far East, LLC, spoke in support; and indicated that the applicant was willing to engage an independent expert in safety and land use for the August 8, 2017 City Council meeting.

Joe Daichendt spoke in opposition, noting the need to protect air space for future generations.

ACTION: Moved by Councilmember Lalloway, seconded by Councilmember Shea, and unanimously carried to close the public hearing at 5:47 p.m.

City Council discussion included: conflicting opinions amongst the different experts regarding public safety and how to reconcile those differences; suggested the City seek an independent consultant through a limited Request for Proposals (RFP); inquired about the timeframe related to the RFP process; and questioned the scope of services and whether more than one consultant was necessary.

Sean Joyce, City Manager, noted that estimated costs for an independent consultant would be determined once a scope of services was developed.

ACTION: Moved by Councilmember Lalloway, seconded by Mayor Pro Tempore Schott, to:

Direct staff to a) issue a limited Request for Proposals (RFP) pursuant to the City's Purchasing Policies and Procedures; b) request that the developer coordinate the entity with City staff once the independent consultant is determined; c) require the developer to provide a deposit to cover the cost of an independent consultant; and d) return to the City Council with a detailed report about the project.

Jeffrey Melching, City Attorney, suggested the motion be amended to include continuation of the public hearing to a date certain.

ACTION: An amendment to the motion was made by Councilmember Lalloway, accepted by Mayor Pro Tempore Schott as the seconder, and unanimously carried to:

- 1) Direct staff to a) issue a limited Request for Proposals (RFP) pursuant to the City's Purchasing Policies and Procedures; b) request that the developer coordinate the entity with City staff once an independent consultant is determined; c) require the developer to provide a deposit to cover the cost of the independent consultant; and d) return to the City Council with a detailed report about the project.
- 2) Continue the public hearing to September 12, 2017.

4. COUNCIL BUSINESS

4.1 CONSIDERATION OF COUNCILMEMBER SHEA'S REQUEST FOR ANIMAL CARE CENTER REDESIGN UPDATE

This item was agendaized at the request of Councilmember Shea, who asked for an update on the redesign of the Irvine Animal Care Center (IACC).

Mayor Pro Tempore Schott, on behalf of the IACC Subcommittee, provided a brief update on the project, noting that the Fiscal Year 2016-17 budget included funds for the preparation of conceptual design plans for the renovation or replacement of IACC, and that the Subcommittee has been exploring how to best update IACC. She also noted that \$25 million was included in the adopted budget for Fiscal Year 2017-18 to be appropriated by the City Council for the scope of improvements, with the Subcommittee returning to the City Council in the fall for review and approval.

Sharon Landers, Assistant City Manager, reiterated the Subcommittee's goal in determining how to best update the IACC while simultaneously caring for the animals during the rehabilitation or reconstruction process.

There was no City Council discussion.

Received and filed.

PUBLIC COMMENT

Lynne Hodgson spoke in support of solar panels in all parking lots within the City and County.

Andy Zelinko, Irvine resident, clarified his comments made at the May 23, 2017 Orange County Great Park Board and City Council meetings with respect to alternative uses for the proposed golf course at the Orange County Great Park.

Alan Meyerson, Irvine resident, noted that Irvine City News was not a City sponsored newspaper; spoke in opposition to the land exchange for the Veterans Cemetery; and spoke in support of a monorail within the City to relieve traffic congestion.


Michael Klubniken spoke on behalf of his friend, Ilya Tseglin, and issues related to his autistic son.

Ilya and Robert Tseglin reiterated a domestic issue related to an autistic family member.

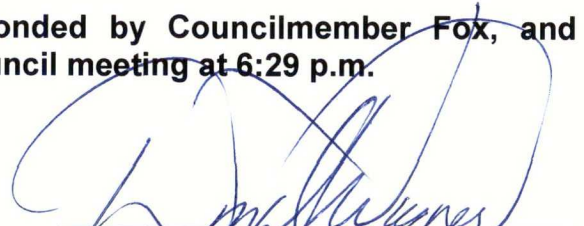
Stephen Wontrobski, Mission Viejo resident, spoke in in opposition to the Orange County Fire Authority overcharging the City of Irvine for fire related services.

ADJOURNMENT

Moved by Councilmember Lalloway, seconded by Councilmember Fox, and unanimously carried to adjourn the City Council meeting at 6:29 p.m.



CITY CLERK OF THE CITY OF IRVINE



MAYOR OF THE CITY OF IRVINE

August 8, 2017